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SUBJECT: CIVAIR SURINAME--TIME FOR OPEN SKIES?

REF: A. UTSCHIG/MENSCHER/FRANGIE --
HORWITZ/LIMAYE-DAVIS/HEDBERG EMAILS JULY
2007-JULY 2008
[B](#). 07 PARAMARIBO 622
[C](#). 07 STATE 146737

[1](#). This is an action request. Please see paragraphs 6 and [13](#).

[2](#). Summary. Surinamese Transportation officials met with DOT and DOS on July 8 to discuss Suriname Airways' planned flights to the United States. During the meeting, the GOS had numerous questions about our bilateral air services agreements and Open Skies. Given the renewed interest on their side, Washington agencies request Post follow up with Surinamese officials to discuss a U.S.-Suriname Open Skies agreement. End Summary.

[3](#). During a July 8 visit to Washington, Minister Richel Apinsa and officials from Suriname's Ministry of Transportation met with U.S. Department of Transportation Deputy Assistant Secretary Susan McDermott and other DOT and State officials. The purpose of the visit was to review the processes and procedures necessary for Suriname Airways to begin flights to the United States in August or September. Several statutory and regulatory requirements apply to foreign airlines interested in serving the United States, including economic authority approval from the U.S. Department of Transportation, Operating Specifications from the Federal Aviation Administration (FAA), and a security assessment by the Transportation Safety Administration (TSA) of the airport serving as the last point of departure to the United States. Suriname Airways holds the necessary DOT approvals, and Suriname has a Category 1 IASA rating from the FAA. Furthermore, the Surinamese officials characterized their work with the TSA as "almost complete."

[4](#). Director of Civil Aviation Vivian Hanenberg and Minister Apinsa had several questions pertaining to bilateral air services rights. Hanenberg asked if Suriname Airways would be able to fly to the United States and points beyond, and he also asked about intermediate points. Under Suriname Airways' economic authority, the airline may serve only Miami and New York. We informed the delegation that if the United States and Suriname were to enter into an Open Skies agreement, there would be no limitations on the number of intermediate and beyond points. Hanenberg asked about the procedural requirements for negotiating an Open Skies agreement. We explained that the first step would be for GOS to review our model Open Skies text. If GOS is satisfied with our text, then a protracted negotiation would be unlikely. We also informed the Surinamese that, were we to reach agreement on a text, it could be applied on the basis of comity and reciprocity pending formal ratification by the GOS. This would allow carriers of both sides to immediately benefit from the provisions in the agreement before it formally enters into force.

[5](#). We further pointed out that in our experience, all our

Open Skies partners --92 of them to date-- have benefited from the arrangement. In addition to offering flexible route rights, an Open Skies agreement ensures a more streamlined DOT regulatory process and opportunities for carriers to enter into code-sharing arrangements. Apinsa asked about cargo rights, and we informed her that cargo and charter operations are also included under Open Skies agreements. In response to her question about USG discussions with CARICOM, we provided a summary of our previous negotiations with the regional body (Reftel C). Since Suriname Airways plans to commence service to the United States via Aruba, the Surinamese officials appeared especially interested to know that Aruba (as well as Jamaica and the Netherlands Antilles in the region) negotiated Open Skies agreements with the United States without assistance or intervention from CARICOM.

¶16. During our July 8 meeting, Apinsa specifically asked us to provide more information, including our Open Skies model text. Follow-up emails between DOT and Hanenberg indicate the Minister may soon set up a committee to review entering into an Open Skies agreement with the United States. Given the Surinamese carrier's planned service to the United States and the renewed interest in Open Skies, Washington agencies request Post re-approach the Ministry of Transportation and deliver suggested talking points and related reference material to Minister Apinsa and to the Director of Civil Aviation, Vivian Hanenberg. Post should request that officials review the model Open Skies text and provide questions and comments in writing as soon as possible. Opening a dialogue between the United States and individual states (not via CARICOM), initially by correspondence, will provide the basis to assess whether an agreement will be possible.

OBJECTIVE -----

¶17. The objective of this demarche is to determine host government receptivity to the liberalization of the aviation sector through an individual (non-CARICOM), bilateral Open Skies agreement.

¶18. Please note that the USG negotiating team would prefer first to receive written comments on the Open Skies text from the host government and, when possible, to negotiate via written correspondence. If an agreement reasonably appears to be achievable, and "face-to-face" negotiations would facilitate conclusion of negotiations, we can arrange for a digital video conference (DVC), or for negotiations in Washington. USG travel to the region is unlikely due to budget and logistical constraints.

REPORTING DEADLINE AND POINT OF CONTACT -----

¶19. Embassy should report results of efforts by August 20. Please slug response for EEB/TRA/AN. Post may also wish to e-mail the response to Viki Limaye-Davis at Limaye-DavisYV@state.gov, and Brian Hedberg at Brian.Hedberg@dot.gov.

BACKGROUND -----

¶10. It is U.S. policy to pursue Open Skies agreements with our aviation partners based on our model Open Skies text. By liberalizing air transport between the United States and our partners through such agreements, the United States seeks to facilitate the growth of worldwide air services. The United States is very interested in negotiating an Open Skies agreement with Suriname.

¶11. Liberal, market-oriented air transport agreements enhance aviation relations by allowing airlines to make commercial decisions with minimal government intervention. Liberalized agreements provide for open routes, capacity, frequencies, designations and pricing, as well as

opportunities for cooperative marketing arrangements, including code-sharing. We believe an Open Skies regime offers the best environment for developing markets to attract additional air services for the benefit of travelers, shippers, tourism, and the broader economy. The United States has 92 Open Skies partners around the globe.

¶12. The United States, New Zealand, Singapore, Brunei, Chile, Samoa, and Tonga are parties to the Multilateral Agreement on the Liberalization of International Air Transportation (MALIAT). Parties to the MALIAT enjoy the benefits of Open Skies with all the other parties without having to negotiate individual bilateral agreements. The MALIAT is open for accession by any country that agrees to be bound by the terms of the MALIAT and by four key aviation security conventions: the Convention on Offenses and Certain Other Acts Committed on Board Aircraft, done at Tokyo September 14, 1963; the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague December 16, 1970; the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal September 23, 1971; and the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, done at Montreal February 24, 1988. Although we encourage countries to accede to the MALIAT, a bilateral Open Skies agreement is often a more realistic objective.

ACTION REQUEST

¶13. Post is requested to sound out decision-makers in the host government, especially Mr. Hanenberg, on Surinamese interest in concluding an Open Skies agreement. In building support for Open Skies within country, Post may also wish to contact tourism, foreign affairs, and trade officials. Embassy may draw on talking points provided below, which may be left as a non-paper. Embassy should provide government officials copies of the updated 2008 model Open Skies text and Open Skies Fact Sheet, available on the internet at <http://www.state.gov/e/eeb/tra/c661.htm>. The MALIAT text is also available at the same internet address. The Department (EEB/TRA/AN) can also forward the Open Skies model text and related fact sheets to the Embassy's civil aviation officer by unclassified e-mail. Embassy should encourage officials to review the model texts and offer comments or questions for Embassy to transmit to Department. Embassy is also requested to report its assessment of overall local interest in an Open Skies agreement. Based on Embassy's report, Washington agencies will consider next steps.

¶14. Begin talking points.

-- U.S. officials appreciated the opportunity to meet with GOS transport/aviation officials during their recent visit to Washington. We were encouraged by the progress of the GOS to invigorate its transportation system.

-- In particular, Washington officials appreciated the discussion concerning improving air services between our two countries.

-- An Open Skies agreement would further our efforts to reinforce joint economic cooperation and strengthen bilateral ties.

-- U.S. international aviation policy is based on enabling marketplace competition to expand worldwide air services through bilateral Open Skies agreements.

-- The U.S. model Open Skies text encompasses both passenger and cargo service, as well as scheduled and charter operations.

-- Our experience, as well as that of many other nations, demonstrates that the best way to develop aviation to its fullest potential is to allow operating decisions to be made in an open marketplace rather than by government regulators.

-- We are confident that Suriname Airways could benefit from an Open Skies agreement.

-- Open Skies agreements establish liberal ground rules designed to facilitate growth of an efficient, market-based international aviation system, with enhanced potential for increasing commercial and business exchanges, investment, exports, and tourism. Growth in aviation also benefits the broader economy and promotes integration with the world economy.

-- Open Skies agreements remove restrictions on routes, capacity, frequencies, designations, and pricing. They also include liberal "doing-business" rights, provide a basis for cooperative marketing arrangements and give carriers the flexibility to respond to market conditions.

-- An Open Skies agreement would enhance the ability of our countries' airlines to enter into cooperative marketing arrangements, including code-sharing with each other, with third-country airlines, and even with surface transportation providers.

-- Efficient air transportation is a prerequisite for developing tourism, manufacturing sites, financial centers, and distribution hubs. Daily international air service can add significantly to a locality's economy.

-- International air links are as important for cargo as they are for passengers. It is estimated that air carriers transport 2 percent of the world's trade by weight, but 40 percent of the world's trade by value. The message is clear: a nation must have efficient air links to develop its trade in high-value goods.

-- Since 1992, the United States has concluded Open Skies agreements with countries at all levels of economic development in Europe, the Middle East, Africa, Asia, the Pacific, Latin America and the Caribbean. The United States has ninety-two Open Skies partners.

-- Our Open Skies partners in the Caribbean include Aruba, Jamaica, the Netherlands Antilles and the French Overseas Departments.

-- We suggest that authorities review the model text and provide questions, comments, and areas of agreement for the Embassy to transmit to Washington. This will open a dialogue between our governments and help to define the best way to move forward to negotiate an agreement.

As appropriate:

-- The United States, New Zealand, Singapore, Brunei, Chile, Samoa, and Tonga are parties to the Multilateral Agreement on the Liberalization of International Air Transportation. The MALIAT is the first multilateral aviation agreement based on Open Skies principles. Parties to the MALIAT enjoy the benefits of Open Skies with all the other parties without having to negotiate individual bilateral agreements. It is open for accession by any country that agrees to be bound by four key aviation security conventions. Should you consider the MALIAT more appropriate for your aviation regime than a bilateral Open Skies agreement with the United States, we invite you to become a party.

End talking points.

15. Washington agencies appreciate Post's assistance.
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